

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL TYBERG,

Plaintiff,

Case No.: 07 CV 2262

-against-

ALBERT EINSTEIN COLLEGE OF MEDICINE OF  
YESHIVA UNIVERSITY, ALBERT EINSTEIN  
COLLEGE OF MEDICINE OF YESHIVA UNIVERSITY  
COMMITTEE ON STUDENT PROMOTIONS AND  
PROFESSIONAL STANDARDS, JAMES DAVID, M.D.,  
and ALLEN M. SPIEGEL, M.D.,

NOTICE OF MOTION FOR  
SUMMARY JUDGMENT

Defendants.

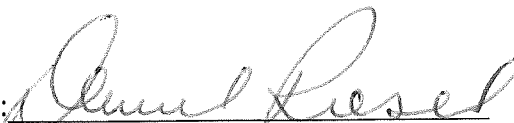
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PLEASE TAKE NOTICE that, upon the Affidavit of Nadine Katz, M.D., sworn to March 31, 2008, and the exhibits annexed thereto; the Affirmation of Daniel Riesel, dated April 1, 2008, and the exhibits annexed thereto; and the accompanying Memorandum of Law, Albert Einstein College of Medicine of Yeshiva University, Albert Einstein College of Medicine of Yeshiva University Committee on Student Promotions and Professional Standards, James David, M.D., and Allen M. Spiegel, M.D., hereby move this Court on the 30th day of May, for an Order granting summary judgment against Plaintiff pursuant to Fed. R. Civ. P. 56(b), and such other and further relief as this Court may deem just and proper.

Pursuant to Judge William H. Pauley III's March 12, 2008 order, Plaintiff shall serve opposition papers on Movants on or before May 19, 2008.

Dated: New York, New York  
April 1, 2008

SIVE, PAGET & RIESEL, P.C.  
Attorneys for Defendants

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